



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, } Case No.: MJ 24 - 1580-DUTY  
Plaintiff, } ORDER OF DETENTION  
v. }  
Rodolfo Hernandez, Jr., }  
Defendant. }  
\_\_\_\_\_  
16

I.

A.  On motion of the Government in a case allegedly involving:

1.  a crime of violence.
2.  an offense with a maximum sentence of life imprisonment or death.
3.  a narcotics or controlled-substance offense with a maximum sentence of 10 or more years.
4.  any felony if defendant has been convicted of two or more prior offenses described above.
5.  any felony not otherwise a crime of violence that involves a minor victim, possession or use of a firearm or destructive device or any other dangerous weapon, or failure to register under 18 U.S.C. § 2250.

1 B.  On motion by the Government/( ) on Court's own motion, in a case  
2 allegedly involving:  
3  On the further allegation by the Government of:  
4 1.  a serious risk that the defendant will flee.  
5 2. ( ) a serious risk that the defendant will:  
6 a. ( ) obstruct or attempt to obstruct justice.  
7 b. ( ) threaten, injure or intimidate a prospective witness or  
8 juror, or attempt to do so.  
9 C. The Government ( ) is/ is not entitled to a rebuttable presumption that no  
10 condition or combination of conditions will reasonably assure the defendant's  
11 appearance as required and the safety of any person or the community.

12  
13 II.

14 A.  The Court finds that no condition or combination of conditions will  
15 reasonably assure:  
16 1.  the appearance of the defendant as required.  
17  (and/or)  
18 2.  the safety of any person or the community.  
19 B. ( ) The Court finds that the defendant has not rebutted by sufficient evidence to  
20 the contrary the presumption provided by statute.

21  
22 III.

23 The Court has considered:

24 A.  the nature and circumstances of the offense(s) charged, including whether  
25 the offense is a crime of violence, a Federal crime of terrorism, or involves  
26 a minor victim or a controlled substance, firearm, explosive, or destructive  
27 device;  
28 B.  the weight of the evidence against defendant;

1 C. (X) the history and characteristics of the defendant; and  
2 D. (X) the nature and seriousness of the danger to any person or the community.

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4 **IV.**

5 The Court also has considered all the evidence adduced at the hearing, the  
6 arguments and/or statements of counsel, and the Pretrial Services Report and  
7 recommendation.

8  
9 **V.**

10 The Court bases the foregoing finding(s) on the following:

11 A. (✓) Flight risk:

12 insufficient bail resources, unemployed, unstable  
13 residence, use of numerous personal identifiers,  
14 ongoing substance abuse

15  
16  
17  
18  
19  
20 B. (✓) Danger:

21 lengthy criminal history, including violence + guns,  
22 ongoing substance abuse, on probation on  
23 state charge, prior probation violations, allegation  
24 in complaint concerning recent robbery conduct

1 VI.

2 A. ( ) The Court finds a serious risk that defendant will:

3       1. ( ) obstruct or attempt to obstruct justice.

4       2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.

5 B. The Court bases the foregoing finding(s) on the following:

6 \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_  
9

10 VII.

11 A. IT IS THEREFORE ORDERED that the defendant be detained before trial.

12 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the

13 Attorney General for confinement in a corrections facility separate, to the extent

14 practicable, from persons awaiting or serving sentences or being held in custody

15 pending appeal.

16 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity

17 for private consultation with counsel.

18 D. IT IS FURTHER ORDERED that on order of a Court of the United States or on

19 request of any attorney for the Government, the person in charge of the corrections

20 facility in which defendant is confined deliver the defendant to a U.S. marshal for

21 the purpose of an appearance in connection with a court proceeding.

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23 DATED: 9/23/24

24   
25 JEAN ROSENBLUTH  
26 U.S. MAGISTRATE JUDGE  
27  
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